

The Brockton Conservation held a meeting in the GAR Room, City Hall, Brockton on Thursday, June 24, 2010 at 7:00 PM. Members present: Chairperson Stephanie Danielson, Timothy Reilly, Scott Ford, and James Bosco. Also present were secretary Pamela Gurley and Marta Nover, Nover-Armstrong Associates (NAA)

1. Certificate of Compliance

Address: 70 Oak Street Ext.

Applicant/Representative: Charles Efremidis

Charles Efremidis said he looking for a certificate of compliance for the drainage portion of the project only.

Ms. Danielson said that there is a separate order of conditions for the upgrade to the drainage but there is no report from consultant and at this time there is no basis for the Commission to render a decision. She advised the applicant that in order for the consultant to complete their review a deposit will be required. Mr. Efremidis said that as soon as he is notified of an amount he will deposit the money.

Ms. Nover said that there has been quite a bit of "hand holding" done by NAA during the course of this project. She said there have been many phone calls and memos. Ms. Danielson said that this project has been a problem since inception and it has been five years and it is still not completed.

Ms. Nover said she will get estimate to the Commission by Friday relative to the amount of hours spent on the project and the estimate of time to complete the review. Ms. Danielson asked NAA to check and make sure the original order is valid.

Continued to July 15, 2010 by agreement of the parties.

2. Notice of Intent

Address: 1014 Pearl Street

Applicant: Jengeo LLC

Representative: John Holmgren, JK Holmgren Engineering, Inc.

Mr. Holmgren said that the revised plans show the relocation of the fence and additional plantings and they added note regarding the screening on the fence.

A motion was properly made (Ford), seconded (Reilly) and unanimously passed to close the hearing.

A motion was properly made (Reilly), seconded (Ford) and unanimously passed to issue an order of conditions to include special conditions recommended by NAA.

3. Notice of Intent

Address: Lot 3 (45) Pearl Way

Applicant: Cotsweld Builders

Representative: Todd Pilling, Pilling Engineering

Continued to July 15, 2010 at the request of the applicant.

4. Notice of Intent

Address: Lot 10 (28 Pearl Way)

Applicant: Cotsweld Builders

Representative: Todd Pilling, Pilling Engineering

Continued to July 15, 2010 at the request of the applicant.

5. Notice of Intent

Address: 899 Belmont Street

Applicant: Saad, Inc.

Representative: Frank Gallagher, Gallagher Engineering

For the record Mr. Ford said that he has read the minutes and is up to speed.

The NAA letter dated June 24, 2010 placed into the record and was summarized by Ms. Danielson.

- Site is a DEP release site and an RAO to was submitted to the state
- A copy of all reports related to gasoline release are to be submitted to the Commission office and NAA
- Need a more in depth long term pollution prevention plan
- Excavation may unearth additional contamination
- Plan does not show location of underground storage tanks

Mr. Gallagher said that the business is registered with DEP as small quantity generator and he had the manifest for latest pick up of waste oil. He said that the roof drains in the front flow to Belmont St. Mr. Reilly said that the existing sheet flow may pick up oil and gas; Mr. Gallagher said that he did not think so. Mr. Gallagher said that he filed for site plan review.

Mr. Reilly asked if there were floor drains in the building and was told yes to the MDC gas trap and into the sewer system. Mr. Reilly said they need to be cleaned every six months and Mr. Gallagher said they are checked when the company comes for oil collection. Mr. Reilly asked about hydraulic lifts and was told there are two bays with hydraulic lifts. He asked if there was any leakage to which Mr. Gallagher said that he can not respond to that.

Mr. Reilly asked if there was a RTN #. Mr. Gallagher said that there was (4-14441 12-30- 99 report belonging to the previous owner) but does not have permission of the owner to release to the Commission yet. Mr. Reilly stated that he believed that would be a public record. Mr. Gallagher said that they removed 18 CY of soil and the outcome is class A2. He said in 2002 there was a follow up report; there is still one yard of contaminated soil between the gas tanks that they can not get out without destabilizing the gas tanks.

Mr. Bosco asked about the sewer/septic disposal system; how large the tank was and was told they are intending to remove it.

Ms. Danielson said she agrees with NAA that there should be a long term pollution plan and Mr. Gallagher agreed to submit the information. Mr. Ford asked if there were any test wells or monitoring wells and was told not that were found. Mr. Reilly asked if there was any geo tech testing proposed and was told no.

Mr. Ford asked if there were prepared to own what they find and Mr. Messina (contractor's representative) said he can not speak for the owner of the company.

Mr. Gallagher said this was only a BZ project to a wetlands and felt it should receive a standard order. Mr. Reilly said that as long as the contamination is in the ground it is not an issue but once the ground is opened up that could change everything. Mr. Gallagher said that oil and hazardous material is not under the Commission's purview. Ms. Danielson said that the Commission can not turn a blind eye.

Mr. Gallagher said he is willing to continue for one more meeting and submit a comprehensive long term pollution prevention plan. Ms. Nover said that this is a redevelopment project and needs to meet standard 4; she said the information is readily available and the Commission should review the RAO. She also said that the site is a mess, that it is full of waste and needs housekeeping.

Mr. Bosco said that they don't know for sure if floor drains are connected to septic and asked that they be provided that information by the owner. He said that the leaching system is somewhere and he would like to know where septic drains to. Mr. Gallagher asked if that could be made a condition in an order.

Continued to July 15, 2010 at the agreement of the parties.

Other Business

Land fill needs inspection

Oak Hill Way/Brockton Power

A motion was properly made (Reilly), seconded (Ford) and unanimously passed to issue an enforcement order.

NAA said that LEC has provided documentation to certify the depression as a vernal pool and also found second vernal pool. It was agreed that NAA should certify the second VP.

NAA gave an update on 20 Bridge St.
Minutes -No action